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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/804,190	03/13/2001	Masuyuki Ohta	501.37242CX2	9907

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EXAMINER

NGUYEN, DUNG T

ART UNIT PAPER NUMBER

2871

DATE MAILED: 12/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/804,190

Applicant(s)

OHTA ET AL.

Examiner

Dung Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6 and 8-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6,8-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/29/2003 has been entered.
2. Applicants' amendment dated 09/29/2003 and a declaration under 37 CFR 1.131 have been received and entered.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 9 and 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Hirakata et al., US Patent No. 5,977,562.

Regarding claims 9 and 13, Hirakata et al. disclose an active matrix liquid crystal display (LCD) device (figures 1-2) comprising:

- . a pair of substrates (201 and 211);
- . a liquid crystal layer (213);
- . a plurality image signal lines (102) and scan signal lines (101) forming a pixel region as claimed (fig. 1);
- . a counter signal line (104);
- . a first alignment film (207);

. a second alignment film (212);
. a pixel electrode (103) connected to the active device (100);
. a counter electrode (105); wherein, the pixel electrode and the counter electrode forming on a same insulating layer (205) as claimed.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 15-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirakata et al., US Patent No. 5,977,562.

Regarding claims 15-25, Hirakata et al. disclose the claimed invention as described above except for the light shielding electrode forming underneath a gate electrode (i.e., between counter electrodes). One of ordinary skill in the art would have realized the desire to form a light shield conductor around pixel regions (i.e., between counter electrodes) in an LCD device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to form the Hirakata et al. device having a light shield conductor underneath gate electrode in order to protect an active device (e.g., TFT) and light leaking through a display device.

7. Claims 1, 2, 4, 6, 8 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirakata et al., US Patent No. 5,977,562, in view of Raynes, US Patent No. 4,084,884

Regarding claims 1, 2 and 4, Hirakata et al. disclose the claimed invention as described above except for rubbing directions of the first and second alignment films are substantially parallel to each other. Raynes do disclose that the arrangement of parallel directions can be

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formed in an LCD device. Therefore, it would have been obvious to one skilled in the art to modify the Hirakata et al. alignment films having rubbing directions being parallel to each other since it is a conventional practice in an LCD art to align molecules of an LCD layer.

Regarding claims 6, 8 and 10-12, although Hirakata et al. do not disclose that the pixel electrode and/or the counter electrode are/is a transparent electrode, it would have been obvious to one skilled in the art to form a transparent electrode in the Hirakata et al device because it is well known in the art in order to obtain a transparent type LCD device.

Response to Arguments

8. Applicant's arguments filed 09/29/2003 have been fully considered but they are not persuasive.

9. It should be noted that Declaration under 37 CFR 1.131 has been filed; however, Exhibit 3 which is a copy of Exhibit 1 with an English translation has not been received by office (only exhibit 1 and 2 with a Japanese character are in file). Applicants are requested to re-submit such Exhibit 3 in order to give the Examiner an opportunity to fully consider an Applicants' declaration.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 703-305-0423. The examiner can normally be reached on Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 703-305-3492. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

DN
12/15/2003

A handwritten signature in black ink, appearing to read 'Dung Nguyen', with a stylized, cursive script.

Dung Nguyen
Patent Examiner
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